

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Petit, II et al.

Title: IMPROVED CELLULAR UPTAKE OF BIOACTIVE AGENTS

Docket No.: 781.014US2

Serial No.: 10/796261

Filed: March 9, 2004

Due Date: N/A

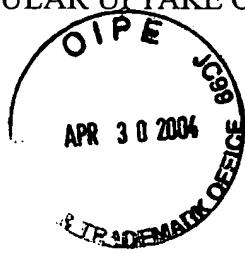
Examiner: Unknown

Group Art Unit: Unknown

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Communication Concerning Related Applications (1 pg.).
- A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 6 of 20 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: Warren D. Woessner

Atty: Warren D. Woessner

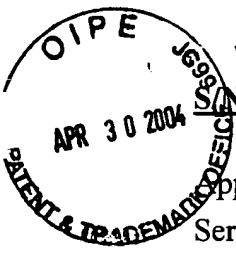
Reg. No. 30,440

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of April, 2004.

Judith Dent
Name

Judith Dent
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)



SAN 10/796261

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Petit, II et al.
Serial No.: 10/796261
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Title: IMPROVED CELLULAR UPTAKE OF BIOACTIVE AGENTS

Examiner: Unknown
Group Art Unit: Unknown
Docket: 781.014US2

COMMUNICATION CONCERNING RELATED APPLICATION(S)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related application(s) in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/993465	November 14, 2001	781.014US1	CELLULAR UPTAKE OF BIOACTIVE AGENTS

Respectfully submitted,

ROBERT G. PETIT, II ET AL.

By Applicants' Representatives,

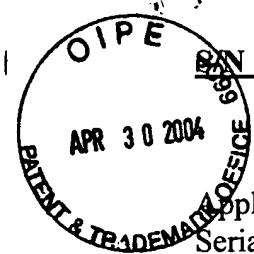
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6903

Date 4/28/04 By 
Warren D. Woessner
Reg. No. 30,440

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Judith Dent
Name

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Signature



SAN 10/796261

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Petit, II et al. Examiner: Unknown
Serial No.: 10/796261 Group Art Unit: Unknown
Filed: March 09, 2004 Docket: 781.014US2
Title: IMPROVED CELLULAR UPTAKE OF BIOACTIVE AGENTS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

ROBERT G. PETIT, II ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
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Minneapolis, MN 55402
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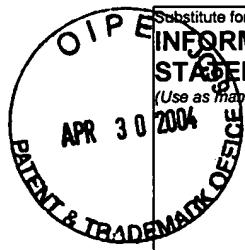
Date 4-28-04

By Warren D. Woessner
Warren D. Woessner
Reg. No. 30,440

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Judith Dent
Name

Judith Dent
Signature



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known				
		Application Number		10/796261		
		Filing Date		March 9, 2004		
		First Named Inventor		Petit, II, Robert		
		Group Art Unit		Unknown		
		Examiner Name		Unknown		
Sheet 1 of 1		Attorney Docket No: 781.014US2				

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-4,849,408	07/18/1989	Sommermeyer, Klaus, et al.	514	18	01/07/1987
	US-4,983,595	01/08/1991	Benjamin, Eric, et al.	514	174	09/20/1988
	US-5,397,803	03/14/1995	Smith, Robert J., et al.	514	563	04/26/1993
	US-5,438,042	08/01/1995	Schmidl, M. K., et al.	514	21	10/08/1993
	US-5,545,668	08/13/1996	Skubitz, Keith M., et al.	514	561	11/17/1994
	US-5,607,975	03/04/1997	Smith, Robert J., et al.	514	563	05/07/1996
	US-5,684,045	11/04/1997	Smith, Robert J., et al.	514	563	05/07/1996
	US-5,726,146	03/10/1998	Almada, Anthony L., et al.	514	2	12/06/1994
	US-5,744,166	04/28/1998	Illum, L.	424	501	12/21/1995
	US-5,763,485	06/09/1998	Smith, Robert J., et al.	514	563	03/13/1995
	US-5,792,753	08/11/1998	Falk, R. E., et al.	15	54	02/17/1993
	US-5,849,335	12/15/1998	Ballevre, Olivier, et al.	424	535	06/02/1997
	US-5,891,467	04/06/1999	Willis, Randall C.	424	450	01/31/1997
	US-5,985,850	11/16/1999	Falk, R. E., et al.	514	54	06/05/1995

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
	EP-0614659	03/10/1994	Ross, Malcolm S.	A61K	9/00	
	EP-0845265	08/12/1996	Yamamoto, Nakayuki, et al.	A61K	38/00	
	EP-0873749	10/28/1998	Ninomiya, H., et al.	A61K	9/00	
	WO-97/14310	04/24/1997	Fleuren, R.	A01N	65/00	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CULLIFORD, S. J., et al., "Activation of a Novel Organic Solute Transpoeter in Mammalian Red Blood Cells," <u>J. Physiol.</u> 489, University Laboratory of Physiology, (1995), 755-65	
		STEENGE, G. R., et al., "Stimulatory Effect of Insulin on Creatine Accumulation in Human Skeletal Muscle," <u>American Journal of Physiology</u> , 275, (Dec. 1998), E974-E979	

EXAMINER

DATE CONSIDERED